

RA Update Report

Regional Administrator Update Report

Reporting Period : 07/30/2021(Friday) - 08/20/2021(Friday)

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AIR PERMITS MONITORING GRANTS BRANCH

Ambient Air Monitoring Network System Modification Request 2021 Texas PM Collocated Monitors: Signature by Division Director, Air and Radiation Division: The Texas Commission on Environmental Quality (TCEQ), provided a letter dated June 14, 2021, requesting a system modification in its ambient air quality monitoring network. R6 ARPM is reviewing the request, coordinating with TCEQ regarding an amendment (requested by EPA July 21, 2021), and developing a response letter. The draft response letter will be completed once the amendment is received and reviewed. - *Ellen Belk (214-665-2164)*

APA Petition from WildEarth Guardians on New Mexico CAA Permitting Program Component: Information: On March 2, 2021, WildEarth Guardians petitioned EPA under Section 553(e) of the Administrative Procedure Act. Of multiple requests, one specific request asked EPA to find the state's federally approved SIP is failing to protect the NAAQS under the CAA and asked EPA to initiate a SIP call to correct the deficiency. In order to evaluate and respond to the Petition request, ARPE informally requested information and permitting documents from NMED on May 5, 2021, including the following: 1) copies of minor NSR permits and general construction permits where the NMED received public comments on air quality impact analyses or impacts on the NAAQS, and copies of NMED's responses to those comments; 2) records for permit appeals focused on air quality analyses and protection of the NAAQS and NMED's response to the permit appeal to either the Environmental Improvement Board or the NM Court of Appeals; and 3) the administrative record for NMED's development of the General Construction Permit for Oil and Gas, including the public comments and the NMED response to comments. On July 5, 2021, ARPE briefed senior leadership about the nature of our informal request since NMED had not provided the necessary information. The ARD DD is following-up on August 3, 2021, with the NMED Air Quality Bureau Director on the status of NMED responding to ARPE's information request; the activity date will be adjusted to the date that NMED can submit information to EPA for review. - *Mary Layton (214-665-2136)*

Cherokee Nation's Air Grant Match-Waiver Request: Signature by Regional Administrator: By August 5th, signature by the acting Regional Administrator to

approve the grant requirement waiver requested by Cherokee Nation. Cherokee Nation is required to match its new Clean Air Act (CAA) Section 105 grant from EPA with 5% of its own funds and asks to reduce the matching funds to 0% for the initial year of its CAA 105 grant. Cherokee Nation claims financial hardship to provide the matching funds due to the poverty levels in the Tribal boundaries and the associated state counties. The tribe received TAS approval to administer CAA Section 105 in April, 2009. - *Aunjane Gautreaux (214-665-7127)*

Community Outreach on Ethylene Oxide Emissions near the Eastman Chemicals Texas facility, Longview, TX: Event - Community Outreach in Longview, TX. On August 10, 2021, EPA will host a community outreach webinar to educate and inform residents of human hazards associated with ethylene oxide emissions from the Eastman Chemicals Texas facility. The Agency will discuss the uses of ethylene oxide, the technical assessments of updated emissions, and the calculated health risk associated with those emissions. The presentation will be followed by a question and answer session for the attendees. - *Frances Verhalen (214-665-2172)* Ex. 6 Personal Privacy (PP)

Community Outreach on Ethylene Oxide Emissions near the BCP Ingredients and Taminco facilities near St. Gabriel, LA: Event - Community Outreach in St. Gabriel, LA. On August 12, 2021, EPA will host a community outreach webinar to educate and inform residents of human hazards associated with ethylene oxide emissions from the BCP Ingredients and Taminco facilities. The Agency will discuss the uses of ethylene oxide, the technical assessments of updated emissions, and the calculated health risk associated with those emissions. The presentation will be followed by a question and answer session for the attendees. - *Frances Verhalen (214-665-2172)* Ex. 6 Personal Privacy (PP)

Ex. 6 Personal Privacy (PP)

Community Outreach on Ethylene Oxide Emissions near the Indorama Ventures facility, Port Neches, TX: Event - Community Outreach in Port Neches, TX. On August 17, 2021, EPA will host a community outreach webinar to educate and inform residents of human hazards associated with ethylene oxide emissions from the Indorama Ventures facility. The Agency will discuss the uses of ethylene oxide, the technical assessments of updated emissions, and the calculated health risk associated with those emissions. The presentation will be followed by a question and answer session for the attendees. - *Frances Verhalen (214-665-2172)* Ex. 6 Personal Privacy (PP)

Delegation of Authority to Oklahoma Department of Environmental Quality (ODEQ), Certain National Emission Standards for Hazardous Air Pollutants

(NESHAP) Parts 61 and 63: Information: DEQ submitted a December 23, 2019 letter to EPA Region 6, formally requesting to approve its updated delegation of Part 61 and Part 63 NESHAP standards adopted by the ODEQ between September 1, 2016, and June 30, 2018. ARPE & ORC have developed a Federal Register Notice (FRN) as a direct final approval of the request by ODEQ to update its delegation of the NESHAP standards, with the exception of sources located in Indian Country. The delegation notice was completed in July of 2020, and scheduled for signing as the direct final and proposal FRNs by the Air and Radiation Division Director by the end of December 2020. However, the signature date was postponed until FRN language could be received from OGC/ORC regarding the McGirt Court Decision on Indian Land jurisdiction. During the interim, ODEQ submitted a March 23, 2021, letter to EPA Region 6, formally requesting to approve an additional updated delegation of Part 61 and Part 63 NESHAP standards adopted by the ODEQ between June 30, 2018, and June 30, 2019. In order to better utilize our resources, we have merged the 2019 and the 2021 submittal requests from ODEQ into a single proposal, for the FRN action. Now that OGC/ORC FRN language has been received for the McGirt Court Decision, ARPE has routed the draft FRN for the NESHAP update to ORC for review; the current projection for the proposal FRN action is early to mid-August 2021. - **Richard Barrett (214-665-7227)**

Community Outreach on Ethylene Oxide Emissions near the Union Carbide, Louisiana: Event - Community Outreach Meetings in Taft, LA for Union Carbide in Louisiana on August 19, 2021. EPA will host a community outreach webinar to educate and inform residents of estimated risk associated with ethylene oxide emissions from this facility. The Agency will discuss the uses of ethylene oxide, the technical assessments of updated emissions, and the calculated health risk associated with those emissions. The presentation will be followed by a question and answer session for the attendees. - **Frances Verhalen (214-665-2172)**

Ex. 6 Personal Privacy (PP)

Community Outreach on Ethylene Oxide Emissions near the Evonik Corporation facility, Reserve, Louisiana: Event - Community Outreach Meetings in Reserve, LA for Evonik Corporation in Reserve, Louisiana on August 24, 2021. EPA will host a community outreach webinar to educate and inform residents of estimated risk associated with ethylene oxide emissions from this facility. The Agency will discuss the uses of ethylene oxide, the technical assessments of updated emissions, and the calculated health risk associated with those emissions. The presentation will be followed by a question and answer session for the attendees. - **Frances Verhalen (214-665-2172)**

Ex. 6 Personal Privacy (PP)

Oklahoma - Proposed approval of revisions to the Oklahoma SIP to update General Provisions and Incorporation by Reference Provisions: Proposed approval

of revisions to the Oklahoma SIP submitted on May 15, 2020 and February 9, 2021 to update the general SIP definitions and incorporation by reference provisions. EPA is proposing approval because these revisions are consistent with federal requirements and ensure the Oklahoma SIP incorporates current federal requirements. Target RA Signature Date - August 25, 2021. - **Adina Wiley (214-665-2115)**

Delegation of Authority to Arkansas Department of Environmental Quality (ADEQ), Certain National Emission Standards for Hazardous Air Pollutants (NESHAP) Part 63: Information: ADEQ submitted a September 28, 2020, letter to EPA Region 6, formally requesting to approve its updated delegation of Part 63 NESHAP standards adopted by the ADEQ between September 17, 2014, and July 31, 2020. ARPE has developed a draft Federal Register Notice (FRN) as a direct final approval of the request, but will be reworking this into a proposed FRN due to concerns that any comment received would result in rework and wasted resources - ARPE is aware of environmental groups that may have an interest in this action. - **Richard Barrett (214-665-7227)**

Community Outreach on Ethylene Oxide Emissions near the Shell Technology Center, Houston, TX : Event - Community Outreach Meetings in Houston, TX near the Shell Technology Center on July 27, 2021. EPA will host a community outreach webinar to educate and inform residents of estimated risk associated with ethylene oxide emissions from this facility. The Agency will discuss the uses of ethylene oxide, the technical assessments of updated emissions, and the calculated health risk associated with those emissions. The presentation will be followed by a question and answer session for the attendees. - **Frances Verhalen (214-665-2172)**

Ex. 6 Personal Privacy (PP)

CAA Permit Applications Completeness Review - Blue Marlin Offshore Port (BMOP), Deepwater Port (DWP): Information: Energy Transfer, Blue Marlin Offshore Port (BMOP) submitted applications for a preconstruction Prevention of Significant Deterioration (PSD), Title V operating permit, and a Case-by-Case Maximum Achievable Control Technology (MACT) Determination. The proposed crude oil export Deepwater Port (DWP) project will be approximately 82 statute miles off the coast of Cameron Parish, Louisiana. The project plans to repurpose an existing natural gas subsea pipeline and offshore platform to transport crude oil to two Single Point Mooring (SPM) buoys for loading up to 365 crude oil Very Large Crude Carriers (VLCCs), or other crude oil carriers, per year. The maximum hourly loading rate is 80,000 barrels per hour. The proposed project has also submitted a DWP license application to USCG/MARAD and EPA will serve as a cooperating agency for the Environmental Impact Statement (EIS) review. EPA will rely on the consultations included in the EIS for the final agency actions. Completeness reviews for the

applications are due by October 28, 2020 for the PSD application, November 12, 2020 for the Case-by-Case MACT Determination application, and November 27, 2020 for the Title V operating permit application. ARPE Section Chief signed a letter on October 28, 2020, finding the PSD application incomplete and a letter on November 9, 2020, finding the NOMA application incomplete (comments provided as an enclosure to each letter). Title V application was determined to be incomplete on Nov 19, 2020. Company submitted response to the EPA's incompleteness letters on January 29, 2021 which was the extension date provided by Region 6. EPA Region 6 Air Permits has completed reviewing the submittals, but the consolidated response provided on January 29th referenced additional supplements that have still not been submitted. Although EPA's completeness review dates were determined to be 02/28/21 for the PSD, 3/15/21 for the 112(g), and 3/30/21 for the title V, the company has acknowledged that our reviews should take into account the supplements that were intended to be provided already, and those submittals may not be ready for submittal until late March or early April 2021. BMOP verified with an e-mail on February 24, 2021, that work is progressing but they are unsure of when the missing information can be submitted. ARPE replied to that e-mail that we will re-initiate our completeness reviews of the BMOP applications when we receive the additional materials not yet submitted. AMOP has indicated several different times that the supplemental information is almost ready, but we still have not yet received, so the activity date will be adjusted until we actually receive the information needed to pick up our review. - *Ashley Mohr (214-665-7289)*

CAA PSD/TV Permit and Case-by-Case MACT Determination - Sentinel

Midstream Texas GulfLink (TXGL) Deepwater Port (DWP): Information: TXGL is proposing to construct a crude oil export DWP approximately 28 miles offshore of Freeport, Texas. The DWP consists of two platforms (application refers to two and sometimes only one platform) and two Single Point Mooring (SPM) systems to load crude carriers for international markets. TXGL proposes loading 85,000 barrels per hour (2 SPMs combined) and 365,000,000 barrels per year. The 112(g) and PSD permit application were received on January 7, 2020, and the Title V Permit application was received on March 3, 2020. EPA sent one letter on March 24, 2020 for determining the 112(g) and PSD applications complete, and a second letter on April 2, 2020, for determining the Title V application complete. EPA consulted with OAQPS on the 112(g) application since this project does not propose vapor control; OAQPS concurred that a Notice for Intent to Disapprove the 112(g) application would be the appropriate path forward. EPA Region 6 issued an intent to disapprove the 112(g) case-by-case MACT application on April 21, 2020. After additional discussions with TGL, the company withdrew the application and submitted a new 112(g) application on October 19, 2020. After supplementing the new application with requested technical and cost details, the new application was deemed complete on December 14, 2020. Vapor capture and control are still not proposed by the applicant for the permit project. EPA Region 6 Air Permits did not issue a second intent to disapprove the Section 112(g) application, but instead is continuing to process the Section 112(g) application along with the PSD and Title V permit applications with the goal of potentially proceeding to

the public notice and comment phase, and then make a final decision on whether to either approve or deny the permits and Section 112(g) determination. The Region has prepared to brief the new Administration on Subpart Y applicability issues if requested. In continuing to prepare draft permits, ARPE staff became aware that the air quality impacts analysis submitted in the current TXGL PSD permit application did not include nearby sources that already had complete PSD applications (e.g., SPOT) in the cumulative air quality analyses. On April 9, 2021 (and in an e-mail sent as follow-up on April 12, 2021), ARPE contacted TXGL to request this information be incorporated in order to continue preparing the PSD permit, since such sources must be included for the application prior to proposing a permit for issuance. A conference call was held on May 3rd and TXGL submitted new modeling results on June 4, 2021. The activity date has been adjusted to complete draft documents and coordinate with legal and technical reviewers, and also brief senior leadership prior to PN (anticipated for mid-August); other high priority work for the division has and may also impact the target date. - **Brad Toups (214-665-7258)**

Community Outreach on Ethylene Oxide Emissions near the Sasol Chemicals facility, in Westlake, LA: Event - Community Outreach in Westlake, LA. On August 31, 2021, EPA will host a community outreach webinar to educate and inform residents of human hazards associated with ethylene oxide emissions from the Sasol Chemicals facility. The Agency will discuss the uses of ethylene oxide, the technical assessments of updated emissions, and the calculated health risk associated with those emissions. The presentation will be followed by a question and answer session for the attendees. - **Frances Verhalen (214-665-2172)**

Ex. 6 Personal Privacy (PP)

Draft Response to Comments (RTC) Document for CAA Proposed PSD and Title V Permits and 112(g) MACT Determination - Phillips 66 Bluewater Texas Terminal (BWTX) Deepwater Port (DWP): Information: BWTX is proposing to construct a crude oil export DWP approximately 18 miles offshore of Port Aransas, Texas. The DWP consists of two Single Point Mooring (SPM) systems to load crude carriers for international markets. BWTX proposes loading 80,000 barrels per hour (2 SPM's combined) and 384,000,000 barrels per year. On February 20, 2020, EPA issued a letter finding the PSD permit and 112(g) applications complete and on June 24, 2020, the title V permit application complete. The Public Notice (PN) began the public comment period on November 12, 2020, for the draft PSD and title V permits, as well as EPA's Notice of MACT Approval (NOMA) for the 112(g) application; the PN included a Public Hearing to be held on January 5, 2021, if requested during public comment. Based upon requests received on the permits and the NOMA, a Virtual Public Hearing was held as planned on January 5 and January 6, 2021 and the public comment period was extended to January 11, 2021. ARPE is now working on reviewing and sorting comments and drafting the RTC document in support of a final permit decision. Due to staff workload, and the comments submitted by BWTX during public comment,

additional time is necessary to assess the comments provided from the company. - *Aimee Wilson (214-665-7596)*

Response to Public Comments on CAA PSD/TV Final Permits - Enterprise Products (SPOT) Deepwater Port (DWP): Information: Proposed crude oil export DWP located 35 miles off the coast of Brazoria County, Texas. Design includes a platform with 95% vapor emission control from the submerged fill marine loading operation. Applications are complete and ARPE has drafted and routed the CAA PSD pre-construction and Title V operating permits for concurrence. Public notice for the proposed permits started November 20, 2019, with Public Comment lasting 30 days through December 20, 2019. The Public Notice also announced that if a Public Hearing was requested by December 9, 2019 and deemed necessary, a venue was reserved for a Public Hearing to be held on 01/14/2019 and the public comment period would be automatically extended. EPA cancelled the public hearing on December 12, 2019, since no requests had been received from the public.

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

comment period, a letter writing campaign from a local community has resulted in around 40,000 letters concerning the location of the onshore pipeline. The company and MARAD put their EIS work on hold to give SPOT time to consider an onshore pipeline alternate pipeline route. SPOT estimated this may have taken an additional 6 months. The stop clock was lifted on February 4th, but the time adjusted back to 11/25/2020 given submittals made but not then acted upon.

Ex. 5 Deliberative Process (DP)

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date has been adjusted, based upon the proposed ROD issuance currently scheduled by USCG/MARAD for September 2021. - *Brad Toups (214-665-7258)*

FY2021 CAA Title V (TV) Permit Program Fees Assessment, City of Albuquerque-Bernalillo Air Quality Board (CABQ): Information: In March 2021, we notified the City of Albuquerque-Bernalillo Air Quality Board (CABQ) during a monthly oversight conference call that we would be conducting a title V program fee evaluation for the city during our fiscal year 2021. Since the city has less than 20 permits, we will limit the scope of the audit to an evaluation of the fee revenue collected and managed to cover the costs of the CABQ's title V permit program. The fee evaluation will include an assessment on whether the systems used by CABQ are adequate to track and account for the collection, retention, management of revenue, and payment of expenses for their title V permit program and that all funding for title V is segregated from other revenue such as Section 105 funding. The initial questionnaire

was transmitted to CABQ on April 30, 2021, and a response was received on May 28, 2021. ARPE will review the information and may ask for additional information or clarification prior to drafting our fee evaluation. The final report for this effort will be completed by September 30, 2021. - *Mary Layton (214-665-2136)*

FY2021 CAA Title V (TV) Permit Program Audit, Louisiana Department of Environmental Quality (LDEQ): Information: In October 2020, we notified the LDEQ that we would conduct a Title V program audit for the State of Louisiana for our fiscal year 2021. We will limit the scope of the FY 2021 Title V program audit to key questions to assess the overall program implementation and an evaluation of fee revenue collected and managed to cover the costs of the LDEQ's Title V program. Region 6 last conducted a fee audit of Louisiana in FY2012 and the final report was issued in FY2015. Our current fee assessment will allow LDEQ to inform us of changes they made with regard to the last fee audit results, streamlining our assessment on whether the systems used by LDEQ are adequate to track and account for the collection, retention, management of revenue, and payment of expenses for their title V permit program. The initial questionnaire was transmitted to LDEQ by April 23, 2021, with a response requested by May 28, 2021. LDEQ requested more time to provide the requested information and EPA relaxed the date to June 4, 2021. ARPE will review the information and may ask for additional information or clarification prior to drafting our fee evaluation. EPA's final report for this effort will be completed by September 30, 2021. - *Kyndall Cox (214-665-8567)*

DIVISION FRONT OFFICE

National Energy Advisory Team: On July 19, Region 6 will hosted the National Energy Advisory Team biweekly meeting which provides an opportunity for EPA Headquarters and Regional team members to share insights and discuss projects and related energy topics. The meeting included a presentation by Mike Hightower, program director of the New Mexico Produced Water Research Consortium on the status produced water reuse efforts, consortium priorities, and broader trends. The next meeting is scheduled for August 2. EPA Region 6 continues to issue the weekly energy brief to update leadership and team members on the status of the oil and gas sector, renewables, the electric grid and other energy related areas of interest. - *Taimur Shaikh (214-665-7181)*

Ex. 6 Personal Privacy (PP)

National Energy Advisory Team: On July 19, Region 6 hosted the National Energy Advisory Team biweekly meeting which provides an opportunity for EPA Headquarters and Regional team members to share insights and discuss projects and related energy topics. The meeting included a presentation by Mike Hightower, program director of the

New Mexico Produced Water Research Consortium on the status produced water reuse efforts, consortium priorities, and broader trends. The next meeting is scheduled for August 2. Standing topics include regulation development regarding methane controls in the O&G sector as well as continued development of the EPA & IOGCC Taskforce meeting agenda. EPA Region 6 continues to issue the weekly energy brief to update leadership and team members on the status of the oil and gas sector, renewables, the electric grid and other energy related areas of interest. - **Taimur Shaikh (214-665-7181)** Ex. 6 Personal Privacy (PP)

National Energy Advisory Team: On August 2, Region 6 hosted the National Energy Advisory Team biweekly meeting which provides an opportunity for EPA Headquarters and Regional team members to share insights and discuss projects and related energy topics. The meeting included sharing upcoming Oil and Gas and other energy related meetings and a discussion on O&G outreach and general communication with industry and state regulators. The next meeting is scheduled for August 16. Standing topics include regulation development regarding methane controls in the O&G sector as well as continued development of the EPA & IOGCC Taskforce meeting agenda. EPA Region 6 continues to issue the weekly energy brief to update leadership and team members on the status of the oil and gas sector, renewables, the electric grid and other energy related areas of interest. - **Taimur Shaikh (214-665-7181)** Ex. 6 Personal Privacy (PP)

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STATE PLANNING IMPLEMENTATION BRANCH

Proposal - Texas Other Solid Waste Incineration State Plan : Decision by the RA by August 13, 2021, on a proposal to approve in part the CAA section 111(d) state plan for incinerators subject to the Other Solid Waste Incineration units (OSWI) emission guidelines (EG) in Texas and amend the CFR in accordance with CAA requirements. - **Karolina Ruan Lei (214-665-7346)**

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RCRA BROWNFIELDS AND SOLID WASTE BRANCH

EPA ORD/R6 Research Report to be Presented at the Ouachita River Valley

Association (ORVA) Meeting: Information: On August 13, 2021, per the request of the Ouachita Parish Engineer, the Ouachita River Valley Association (ORVA), in West Monroe, Louisiana, EPA will present on the EPA Office of Research and Development (ORD)/Region 6 research report, A Deeper Look at the Ouachita River, How investment in Ouachita River infrastructure sustains human well-being in Ouachita Parish, Louisiana.. The request is for EPA to present on the content and findings of the report. Dr. Richard Fulford, lead author has agreed to travel and to present on the report. The interest by ORVA is that the report helps to demonstrate the value of the river for the community and that the EPA study adds to the University of Louisiana at Monroe economics' study about the river. The report can be read at:

https://cfpub.epa.gov/si/si_public_record_Report.cfm?dirEntryId=350855&Lab=CEM M . The meeting is with state legislators and senators as well as staff from U.S. congressional delegations. The meeting will be advertised via the Monroe paper and on radio. Reporters are expected. - **Joyce Stubblefield (214-665-6640)**

NMED Request for PFAS Considerations: Information: R6 LCRD RCRA staff have reviewed and provided comments on a draft response prepared by HQ for the July 23, 2021 letter from NMED Secretary Kenney to Administrator Regan requesting EPA assistance on addressing PFAS concerns at Cannon Air Force Base and Holloman Air Force Base in New Mexico. The letter requests reversal of a prior decision regarding direct support of the state's litigation against the US Air Force and proposes potential EPA activity, including among other activities: listing PFAS as a class of hazardous waste under RCRA; entering into a confidentiality agreement with NMED to support settlement negotiations with the US Air Force; evaluating the design and efficacy of the proposed pilot study at Cannon; and calling for withdrawal of the United States' lawsuit against the State of New Mexico. Region 6 has provided technical assistance to NMED in the past with regard to their highest priority, PFAS groundwater modeling, at Cannon and Holloman. A summary of that assistance has been provided to HQ to help in preparing the response to the request. The modeling assistance has been limited since the litigation due to data sharing limitations; however, Region 6 still provides NMED as well as other Region 6 states with general PFAS-related updates such as off-site sampling lists from the Air Force, Army PFAS data, new analytical method information, and PFAS webinars. The draft letter will next go to HQ senior leadership for review, and after any revisions will be signed by Larry Starfield, Acting Assistant Administrator. - **Melissa Smith (214-665-7357)**

Ex. 6 Personal Privacy (PP)

UPRR Former Houston Wood Preserving Works Site/Kashmere Gardens Area:

Information: EPA HQ is still in the process of drafting responses to Congresswoman Sheila Jackson Lee's letter dated April 1, 2021, and Mayor Turner's letter dated June 25, 2021. R6 LCRD RCRA staff have reviewed the most recent version of a draft letter to UPRR requesting that they answer the questions raised by Mayor Turner in his letter to the Administrator. TCEQ is currently accepting comments on the draft UPRR permit until August 30, 2021; however, they have indicated that they are planning a second public meeting to be held in person likely in September in which case the public comment period will be extended. The date for the public meeting has not yet been set. In addition, EPA HQ through their contractor, Skeo, is considering a second technical assistance presentation to the community in advance of the second public meeting, but is still working with the community to determine if there is a need for another presentation. R6 LCRD RCRA staff are preparing draft comments on the permit and met with HQ ORCR staff and EJ staff on August 5, 2021, to discuss if there are additional comments that they feel should be included. - **Melissa Smith (214-665-7357)**

Ex. 6 Personal Privacy (PP)

Cannon AFB/Highland Dairy Request: Information: (no change from 7/20) HQ FFRO and OLEM/ORCR staff are working on an initial draft response to the request from Mr. Schaap with Highland Dairy to designate the area as a Superfund site. The Dairy has been adversely impacted by PFAS contamination from the nearby Cannon AFB. HQ plans to share the draft when it is available for review and input from Region 6. Region 6 provided examples of responses to other similar requests to list sites as Superfund sites which were already conducting investigation/cleanup activities under RCRA Corrective Action (i.e. Kirtland AFB, Kelly AFB, and UPRR). - **Laurie King (214-665-6771)**

Ex. 6 Personal Privacy (PP)

UST POLLUTION PREVENTION PESTICIDE AND LEAD BRANCH

ARKANSAS DEPARTMENT OF AGRICULTURE (ADA)- DICAMBA DRIFT COMPLAINTS: On July 30, 2021, Arkansas Department of Agriculture (ADA) met with Region 6 and the Office of Pesticide Programs to discuss the complaints that are being reported in Arkansas. Among other issues and information discussed and shared noted by OPP and Region 6, is 1) the fact that currently ~650,000 acres have been impacted and this will most likely end up greater once the state has a chance to review a complaint file at a wildlife refuge. 2) Additionally, Arkansas has ~3,000,000 acres of soy planted this year. The ratio of dicamba tolerant to non-dicamba tolerant soy is ~70% to 30% in the state (2.1 million to 0.9 million). About 70% of the 0.9 million has been affected (~630,000 acres of non-dicamba tolerant soy beans have been affected). 3)

Ex. 5 DP / Ex. 7(A)

Ex. 5 DP / Ex. 7(A)

the cut-off date in Arkansas was May 25 for dicamba on soy beans. This year, the State Plant Board set it for June 30, which is consistent with the federal label for applications on dicamba-tolerant soy beans. In reaching out to other states, an increase has been noted in several other states in Region 5 and Region 7. Other states in Region 6 have not reported an increase in complaints. - *Kristin Dunbar (214-665-8129)*

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AIR ENFORCEMENT BRANCH

Denka Performance Elastomer, LaPlace, LA: EPA continues to monitor the ambient air around Denka's neoprene manufacturing facility through OECA's Continuous Air Monitoring Program (SPod) and publishes the chloroprene data on its public website. EPA is reviewing information submitted by Denka regarding the root causes of 12 elevated chloroprene results detected at the air monitors between October 2020 and February 2021. On May 6, 2021, Earthjustice (representing Concerned Citizens of St John) petitioned the Administrator to 1) take emergency action to abate an imminent and substantial endangerment to the residents of St John the Baptist Parish, and 2) revise through rulemaking the national emission standard for the Polymers and Resins source category to provide an ample margin of safety to protect the health of St John residents. On July 16, 2021, EPA held a meeting with Earthjustice/Concerned Citizens to discuss the petitions and hear from local community members. EPA will hold two follow-up meetings with Earthjustice/Concerned Citizens in the coming weeks, one on EPA's plans for air monitoring around the facility, the other regarding potential beneficial projects that could be part of a future settlement of the ongoing enforcement case against Denka and former owner DuPont. On June 15, 2021, Denka met with OAR regarding OAR and OECA issued a joint CAA Section 114 Information Request for facility information and to require fence line monitoring to support regulatory actions to

update the Polymers and Resins I and the hazardous organic NESHAPs. EPA will also review the information for Clean Air Act compliance. Denka's deadline to respond to the 114 request (i.e. provide answers to survey questions and submit a fence line monitoring protocol) is August 16, 2021. On July 15, 2021, Denka submitted a new Request for Correction (RFC) under the Data Quality Act to OAR, requesting that EPA update the agency's 2010 IRIS assessment for chloroprene. Per EPA guidelines, EPA's goal is to respond to Denka's RFC within 90 days of receipt. - *Justin Lannen (214-665-8130)*

Ex. 5 AC / Ex. 7(A)

RCRA/TOXIC ENFORCEMENT BRANCH

Ex. 5 AC / Ex. 7(A)

Ex. 5 AC / Ex. 7(A)

WATER ENFORCEMENT BRANCH

Churchill Downs Race Track, New Orleans, LA: It is expected that the Motion to Enter the Consent Decree will be filed by September 30, 2021. DOJ hopes to have the Motion in concurrence for their management's approval by September 1, 2021. The Consent Decree was lodged on September 28, 2020, but the Sewerage and Water Board of New Orleans submitted comments during the public comment period which delayed matters. The CD requires Churchill to construct horse wash stations and the Board claimed that this discharge from the horse wash stations would exceed the Board's capacity in the sewer lines. EPA, DOJ and Churchill worked to address the Board's concerns and in June 2021, the Board withdrew their public comments. DOJ is working on finalizing the technical expert's declaration which will accompany the Motion to Enter. - *Ellen Chang-Vaughan (214-665-7328)*

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ASSESSMENT ENFORCEMENT BRANCH

Brine Service Co. Superfund Site, Nueces County, Texas: Information: By July 30, 2021 EPA will issue a Special Notice Letter to potentially responsible parties associated with the Site. The Site team intends to initiate Remedial Design and Remedial Action negotiations with the PRPs. - *Stephen Capuyan (214-665-2163)*

U.S. Oil Superfund Site, Pasadena, Harris County, TX - Site Status: Information: On June 30, an Administrative Order on Consent (AOC) was signed for the remedial investigation/feasibility study for operable unit 2 (OU2) the 200 N. Richey portion of the U.S. Oil Superfund Site. The AOC included \$50,000 in future response cost and an estimated \$500,000 in work to be completed by the PRP group. - *Lance Nixon (214-665-2203)*

Vertac Superfund Site, Jacksonville, AR - Dioxin Sampling Meeting: Information: On August 24, EPA will meet with the Arkansas Department of Energy and Environment (ADE&E) concerning the dioxin reassessment of off-site (residential) soil at the Vertac site. The reassessment of off-site soil was necessitated by the release of the 2012 of the Reference Dose (RfD) for dioxin. The Record of Decision (ROD) dioxin cleanup level for off-site soil is 1 part per billion (or 1,000 part per trillion (ppt)) and the

new residential screening level for dioxin is 51 ppt. The ADE&E and EPA have agreed to work cooperatively and collaboratively to develop a sampling and communication strategy that is acceptable to the Mayor of Jacksonville and to have a unified approach with the City of Jacksonville. - *Jon Rauscher (214-665-8513)*

EMERGENCY MANAGEMENT BRANCH

Globe Union Site, Garland, TX - Community Meeting: Information: On August 5, EPA hosted a virtual community meeting about the Globe Union site. EPA answered questions on the overall sampling strategy, chemicals sampled for, soil sampling depths, data results and anticipated timeline of EPA actions. - *Chris Petersen (214-665-3167)*

Ex. 6 Personal Privacy (PP)

Los Lunas Chemical Cache, Los Lunas, NM - Removal Action: Information: The estimated transportation for disposal date for the 57 bulked containers from the Los Lunas site has been moved to August 16. EPA's cleanup (ERRS) contractor is awaiting bids from disposal facilities for the 57 bulked containers remaining onsite which include acids, caustics, flammables, RCRA metals, water reactive, oxidizers, cyanides and Radium-226. - *Jhana Enders (214-665-6654)*

Ex. 6 Personal Privacy (PP)

American Creosote-DeRidder, DeRidder, LA - Removal Action: Information: Removal activities continue at the American Creosote-DeRidder site and are expected to be completed by the end of August, however maybe delayed due to incinerator capacity. EPA completed the removal of source material from Source Area (SA) 3 and transported two loads (estimated 44 tons) of solid waste and 3,500 gallons of liquid waste to bring the total to 58,176 gallons of liquid waste transported for disposal. EPA should complete backfilling of SA3, remove debris from secured waste stockpiles, and continue site restoration and maintenance work by August 6. - *Adam Adams (214-665-2779)*

Ex. 6 Personal Privacy (PP)

NEOLAMP Drums, Davis, OK - Removal Action: Information: A tentative date of August 4 has been selected for pick-up and transport of the three remaining radioactive cylinders to a licensed reuse company in North Carolina. EPA is working with the Oklahoma Department of Environmental Quality (ODEQ) to ensure proper permitting for transport of the cylinders. - *Mike McAteer (214-665-7157)*

Ex. 6 Personal Privacy (PP)

NEOLAMP Drums, Davis, OK - Removal Assessment: Information: On August 4, the three radioactive cylinders at the NEOLAMP site were picked up for transport to a licensed reuse company in North Carolina. - *Mike McAteer (214-665-7157) (Cell-*

Ex. 6 Personal Privacy (PP)

Kickapoo Radium Dial Site, Shawnee, OK - Removal Action: Information: On August 5, the four radium dials were picked up for transportation and disposal from the Kickapoo Nation. - *Timothy Zahner (214-665-3123)*

Los Lunas Chemical Cache, Los Lunas, NM - Removal Action: Information: Removal activities continue at the Los Lunas site. EPA's contractor is arranging for disposal of the 57 bulked containers remaining onsite which include acids, caustics, flammables, Resource Conservation and Recovery Act (RCRA) metals, water reactive, oxidizers, cyanides and Radium-226. A number of ore samples came back that tested positive for cyanides in addition to the sodium cyanide initially found onsite. The estimated transportation for disposal date is August 5. Items for incineration are pending due to incineration capacity backlog. - *Jhana Enders (214-665-6654) (Cell-*

Ex. 6 Personal Privacy (PP)

Globe Union Site, Garland, TX - Community Meeting: Event: On August 5, EPA will conduct a virtual community involvement meeting for the Globe Union Site. During the meeting, citizens of the community will be able to ask questions related to the assessment and pending removal activities and meet with EPA and the Department of State Health Services. The EPA continues to update and work with community leaders and school officials of the affected areas and is also currently coordinating with the Garland Independent School District and the Garland Health Department on next steps for the Removal Action. - *Eric Delgado (214-665-2703)*

Ex. 6 Personal Privacy (PP)

REMEDIAL BRANCH

San Jacinto River Waste Pits Superfund Site, Harris County, TX - Southern Impoundment UAO: Information: On August 4, the unilateral administrative order for the construction of the remedy for the southern impoundment at the San Jacinto site was signed by the SED Director. On May 7, 2021, EPA approved the Remedial Design. The remedial action is anticipated to begin in the fall of 2022 at the earliest to allow for

equipment and personnel procurement and avoid safety issues related to hurricane season. - **Lauren Poulos (214-665-8371)**

Tar Creek Superfund Site, OK - Operable Unit 5 Downstream Tribes meeting:

Information: On August 5, the Tar Creek Trustee Council Indian Tribes (TCTCIT) met with the EPA Technical Review Workgroup for Metals and Asbestos: Lead Committee (TRW) to discuss use of the IEUBK in the PRG analysis as well as other remaining risk questions to to better understand the TRW's perspective and recommendations on these issues. This is meeting considered to be informal by both TRW and TCTCIT with no expectation of formal review or TRW response. - **Katrina Coltrain (214-665-8143)**

River City Metal Finishing Superfund Site, Happy, TX - Proposed Plan

Community Meeting: Event: On August 10, EPA will hold a virtual community meeting on the Proposed Plan for the River City Metal Finishing site. The public comment period on the plan will be from August 1 through August 31. - **Stephen Tzhone (214-665-8409)**

Circle Court Ground Water Plume Superfund Site, Willow Park, TX - Proposed Plan:

Information: On August 11, EPA will issue a proposed plan for Circle Court Ground Water Plume site for an interim remedy of soil vapor extraction in the source area to address residual trichloroethene (TCE) contamination in the vadose zone. Soil vapor extraction is a presumptive remedy for TCE and other volatile organic contaminants in unsaturated zone soils. - **Vincent Malott (214-665-8313)**

Odessa Chromium # I Superfund Site, Ector County, TX - Five-Year Review:

Decision by August 13 by SED Director on the Five-Year Review and protectiveness determination for the Odessa Chromium # I Site. - **Stephen Pereira (214-665-3137)**

North East 2nd Street Superfund Site, Happy, TX - Proposed Plan Community

Meeting: Event: On August 26, EPA will be presenting the Proposed Plan for the North East 2nd Street site at a virtual formal public meeting. - **Stephen Tzhone (214-665-8409)**

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PERMITTING AND WATER QUALITY BRANCH

2021 EPA Region 6 Stormwater Conference: Region 6's Water Division Permitting Stormwater Team working with Texas A&M Kingsville, the City of New Orleans, Sewage and Water Board New Orleans Louisiana, Jefferson Parish and various municipalities will hold the 2021 EPA Region 6 Stormwater Conference, August 10-12, 2021. The conference will be held onsite at the New Orleans at the Hyatt Regency New Orleans and portion of it will be held virtually. It will offer various sessions in stormwater management, industrial and construction programs, green infrastructure, total maximum daily loads and watershed protection, and sessions on living with water special programs and nature-based solutions within the five Region 6 states. The conference will offer preconference basic training on August 9, 2021, in stormwater management from municipal, industrial, construction and green infrastructure. In addition, on August 8-9, 2021, there will also be a certification program for inspectors in sediment and erosion control offered. - ***Monica Burrell (214-665-7530)***